

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: Edelen et al.  
Serial No.: 10/706,457  
Filed: Nov. 12, 2003  
For: MICRO-FLUID EJECTING DEVICE HAVING  
EMBEDDED MEMORY DEVICE  
COMMUNICATING WITH CONTROLLER  
  
Examiner: Nguyen, Lam S.  
Group Art Unit: 2853  
Confirmation No.: 6755

**RESPONSE TO NOTIFICATION OF  
NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)**

Mail Stop: Appeal Brief-Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Notification of Non-Compliant Appeal Brief mailed on January 8, 2007. In accordance with MPEP 1205.03(B), Appellant submits herewith a replacement SUMMARY OF CLAIMED SUBJECT MATTER section to replace the section originally submitted with the Appeal Brief.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By:



Mark P. Crockett  
Registration No. 47,507  
Attorney for Appellant

SUMMARY OF CLAIMED SUBJECT MATTER  
(Replacement Section)

The independent claims on appeal are claims 1, 13 and 23. Claim 1 is directed to a substrate (ref. no. 16 in FIGS. 1, 2 and 9) for a micro-fluid ejecting device (ref. no. 75 in FIG. 11). Claim 13 is directed to an ink jet printer cartridge (ref. no. 10 in FIG. 1) for an ink jet printer (ref. no. 75 in FIG. 11). Claim 23 is directed to a printhead (ref. no. 14 in FIGS. 1, 2, 9, 10 and 11) for a micro-fluid ejecting device (ref. no. 75 in FIG. 11). The substrate (16) of claim 1, which is also an element of claim 13, has a plurality of fluid ejection devices (28) and a plurality of driver transistors (70) for driving the fluid ejection devices. (See FIGS. 9 and 10: paragraph [0031] et seq.) The fluid ejection devices and driver devices are also elements of claims 13 and 23.

The substrate of claims 1 and 13 includes a programmable memory matrix (38). (See FIGS. 3, 9 and 10: paragraph [0020] et seq.) The programmable memory matrix contains embedded programmable memory devices (40, 42, 44) that are operatively connected to the micro-fluid ejecting device (or ink jet printer). The programmable memory matrix and embedded programmable memory devices are also elements of claims 13 and 23. The memory matrix is for storing information which may be used in the operation of the micro-fluid ejecting device. For example, the memory matrix may be used to provide identification information for a printhead, alignment characteristics of the printhead or fluid properties of ink used in the printhead, such as ink color. Also, the memory matrix may be used to store information that is continually updated as a printhead is used, such as ink levels or fluid use data. (See paragraph [0032].)